

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

United States of America,

—v—

Nico Burrell, et al.,

Defendants.

**USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: MAY 16 2016**

15-cr-95 (AJN)

ORDER APPOINTING
COORDINATING
DISCOVERY ATTORNEY

ALISON J. NATHAN, District Judge:

It is hereby ORDERED that Emma M. Greenwood is appointed as Coordinating Discovery Attorney (“CDA”) to facilitate the orderly production and dissemination of voluminous common discovery, typically in electronic form, by the Government to all court-appointed counsel for indigent Defendants.

It is further ORDERED that the CDA shall perform the following tasks:

1. Manage and, unless otherwise agreed upon with the Government, distribute global discovery produced by the Government and relevant third-party information common to all defendants to all court-appointed counsel in a timely and efficient manner;
2. Assess the amount and type of discovery to determine what technology should be used to avoid duplicative costs;
3. Act as a liaison with federal prosecutors to ensure the timely and effective exchange of global discovery;
4. Identify, evaluate, and engage third-party vendors and other litigation support services to assist court-appointed counsel;
5. Assess and identify any additional vendor support that may be required—including copying, scanning, forensic imaging, data processing, data hosting, trial presentation, and other technology depending on the nature of the case;
6. Identify any additional human resources that may be needed by the individual parties for the organization and substantive review of information;

7. Provide training and support services to court-appointed counsel, as a group and individually, in the use of technology that will assist in court-appointed counsels' organization and review of discovery;
8. Create tools based on objective criteria (such as document dates) that would assist all court-appointed counsel in conducting their independent searches of discovery materials; and
9. Assist court-appointed counsel in the preparation of budgets and funding requests to this Court.

The CDA shall not negotiate the type and scope of discovery with the Government, but the CDA may discuss and manage the type and scope of discovery with the Government and may communicate with the Government accordingly. Any discovery issue relating specifically to a particular Defendant shall be addressed by court-appointed counsel for that Defendant directly with the Government and not through the CDA. The CDA's role shall not extend to substantive review of any discovery or the formulation of any litigation strategy.

Although the Administrative Office of the U.S. Courts, Defender Services Office, refers to the position described in this order as "Coordinating Discovery Attorney," and Ms. Greenwood is in fact an attorney, the Court is not appointing her to provide representational services to any Defendant in this case. Accordingly, the CDA's duties shall not include providing any legal advice to court-appointed counsel or any Defendant. The CDA shall not communicate directly with any Defendant. While the CDA is an attorney, she shall not establish an attorney-client relationship with any Defendant.

Unless otherwise agreed, the Government shall provide global discovery to the CDA, who shall duplicate and distribute the discovery to all court-appointed counsel. To avoid delay in providing global discovery to court-appointed counsel, any additional global discovery not already produced shall be provided directly to the CDA.

The CDA may petition this Court *ex parte* for funds for outside services and shall monitor all vendor invoices for these services, including confirming that the work contracted for was performed and provided. All petitions for outside services will include a basis for the

requested funds, and a determination that the proposed costs are reasonable and that the services are necessary.

Retained counsel may obtain a copy of voluminous common discovery from the CDA, if retained counsel provides the CDA with any hard drive, flash drive, or other media necessary to receive said discovery materials.

SO ORDERED.

Dated: May 16, 2016
New York, New York

A handwritten signature in black ink, appearing to read 'Alison J. Nathan', is written over a horizontal line.

ALISON J. NATHAN
United States District Judge